IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.8546 of 2005

Shri Apurva Chandrakant Muzumdar — Applicant
Vs.
State of Maharashtra & anr. — Respondents

Mr.Vilas Mali for applicant.
Mr.D.R.More, APP for State.

CORAM: B.H.MARLAPALLE, J.

September 18, 2007.

P.C.

. This is an application filed by the original complainant against the order of acquittal passed in Regular Criminal Case No.8 of 2001 by the learned Judicial Magistrate, First Class at Pali, Dist. Raigad. The accused has been acquitted of the offences punishable under Sections 420, 468, 466, 471, 474 of IPC and under Section 33 of the Maharashtra Medical Practitioners Act. This is an application under Section 378(4) of Cr.P.C. praying for special leave to appeal.

. As per the amended scheme of Section 378(1) of Cr.P.C., the State Government through the concerned District Magistrate has the remedy to file an appeal before the Sessions Court against the said acquittal

order, if so advised. The learned counsel for the applicant having realised that he cannot present an appeal before this Court, sought leave to convert the appeal into a revision application. I am not inclined to entertain this prayer.

. However, if a revision application is filed by the present applicant before the Sessions Court within a period of four weeks from today, the period of pendency of this application from 22nd December 2005 till today shall be excluded from counting delay, if any. Application is disposed off accordingly.

(B.H.MARL